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SIU 7396
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Kathleen C.M. Campbell
Serial No. 09/911,195
Filed July 23, 2001
Confirmation No. 2942
For THERAPEUTIC USE OF D-METHIONINE TO
REDUCE THE TOXICITY OF NOISE
Examiner Rebecca Cook

Art Unit 1614

July 8, 2004

INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant received the Examiner's Interview Summary dated June 8, 2004; in Applicant's amendment filed on June 15, 2004, a brief interview summary was included. However, against the contingency that a separate interview summary is necessary, Applicant submits the following in response to the Examiner's Interview Summary dated June 8, 2004. Applicants respectfully request that the following Interview Summary be entered into the record.

Telephonic Interview Details:

Participants: Examiner Rebecca Cook and John K. Roedel, attorney for Applicants.

Date of Interview: June 1, 2004

Exhibit shown or

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demonstration conducted:	Declaration of Kathleen Campbell
Claims discussed:	All
Identification of prior art discussed:	Art of record
Agreement with respect to the claims:	None

Substance of the Interview:

In the interview of record, the Examiner and the Applicant's attorney discussed the simultaneously submitted unsigned declaration of Dr. Campbell distinguishing the pending claims from the teachings of Campbell et al. The Examiner recognized the merit of the arguments presented by Applicant's attorney distinguishing the pending claims from the teachings of Campbell et al. However, the Examiner stated that the claims lack novelty over that reference because a subset of those receiving cisplatin in chemotherapy would also have been exposed to noise that would have caused ototoxicity, so that the claims are inherently anticipated by the prior art administration of D-methionine for treatment of cisplatin-induced ototoxicity. The Examiner therefore stated that, to establish novelty, it would be necessary to add a proviso to the claims excluding treatment of those suffering from noise-induced ototoxicity who also receive both cisplatin and D-methionine as described in Campbell et al. It is Applicant's understanding that, if the Examiner is satisfied that there is support in the specification for such a proviso, and the claims are amended to include the proviso, the claims would be deemed allowable.

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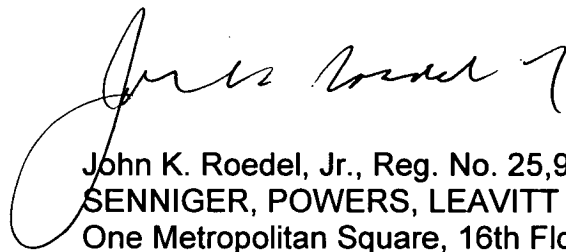
Applicants would like to thank the Examiner for the time spent discussing the present application during the above-noted Interview.

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The Examiner is authorized to charge any underpayment or to credit any overpayment of the above referenced fees to Deposit Account No. 19-1345.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John K. Roedel, Jr.", with a large, stylized initial "J" and a flourish at the end.

John K. Roedel, Jr., Reg. No. 25,914
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400